

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DANA LYNNE SMOLARZ,

Plaintiff,

16-11883

v.

Magistrate Judge R. Steven Whalen

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

/

ORDER GRANTING ATTORNEY FEES

Plaintiff's unopposed Motion for Attorney Fees Pursuant to the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412(d)(1)(A) [Doc. #24] is GRANTED.

Plaintiff is awarded an attorney fee of \$5,779.96 under the EAJA.

No later than 14 days from this Order, the Commissioner will determine whether the Plaintiff owes the Government a pre-existing debt. If no such debt is owed, then payment of the EAJA fees will be made directly to Plaintiff's attorney. If the Plaintiff does owe a pre-existing debt, the EAJA fees will be offset by the amount of the debt, with any remainder to be paid to Plaintiff's attorney. *See Cowart v. Commissioner of Soc. Sec.*, 795 Fed.Supp.2d 667, 671-72 (E.D. Mich. 2011).

IT IS SO ORDERED.

s/R. Steven Whalen

R. STEVEN WHALEN

UNITED STATES MAGISTRATE JUDGE

Date: December 15, 2017

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was sent to parties of record on December 19, 2017, electronically and/or by U.S. mail.

s/Carolyn Ciesla
Case Manager to the Honorable
R. Steven Whalen